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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

CIVIL APPLICATION NO.4514 OF 2007
IN
FIRST APPEAL NO.1583 OF 2007

Kaushalya Anandrao Bhosale & others ..Applicant
v/s.
New India Insurance Co. Ltd. & anr. ..Respondents

Mr.P.J.Pawar for the Applicant
Miss. Urmila K. Sanil for Respondent nos. 1 to 3

CORAM : ANOOP V. MOHTA,J.
DATED : 29th September, 2007

P.C.

Considering the averments made and in view of the fact that applicant no.1 is widow of the deceased. The Tribunal after considering the rival contentions impleaded the issue about the entitlment of the pension by the legal heirs of the deceased and granted the compensation.

2. Considering the averments made I am of the view that atleast at this stage of the proceedings as appeal is already admitted, the widow/appellant no.1 is entitled to withdraw Rs. 1,00,000/-. Out of that 50% without security and balance 50% by furnishing security to the satisfaction of the trial Court.

3. In so far as applicant no. 2 and 3 who are sons of

the deceased are entitled to withdraw Rs.50,000/- each, however, that will be subject to furnishing Bank guarantee to the satisfaction of the trial Court. The application is accordingly disposed off with liberty.

[ANOOP V. MOHTA,J.]